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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION
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13 UNITED STATES OF AMERICA,) CR 12-0119 SI
14 v.) STIPULATION AND ~~PROPOSED~~ ORDER
15 JOSEPH ORTIZ,) REGARDING BRIEFING SCHEDULE
16 Defendant.) FOR DEFENDANT'S 2255 PETITION
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18 Pursuant to the Court's Order dated May 16, 2017, the government is hereby advising the Court
19 that it intends to oppose defendant Joseph Ortiz's 2255 petition. In addition, the government has
20 conferred with Michael Clough, appointed defense counsel with respect to the 2255 petition, regarding a
21 proposed briefing schedule with respect to the defendant's already filed 2255 petition. Given that the
22 defendant is serving mandatory life sentences that are not impacted by the present 2255 petition, the
23 defendant will not suffer any prejudice from awaiting the Supreme Court's decision in Dimaya, which
24 decision may have a substantial impact on this Court's decision on the instant 2255 petition. Thus, the
25 parties stipulate to the following briefing schedule with respect to the defendant's already filed 2255
26 petition:

- 27 (1) The government shall file its opposition brief with 90 days of the Supreme Court's decision
28 in Dimaya;

1 (2) The defendant shall file any reply brief within 30 days of the government's filing of its
2 opposition.

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4 DATED: June 6, 2016

Respectfully submitted,

5 BRIAN J. STRETCH
6 United States Attorney

7 By: /s/
8 Stephen Meyer
9 Assistant United States Attorney

10 /s/
11 Michael Clough
12 Counsel for the Defendant
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1 ~~[PROPOSED]~~ ORDER

2 Based on the stipulation of the parties, it is hereby ordered that the parties will adhere to the
3 following briefing schedule with respect to the defendant's already filed 2255 petition:

4 (1) The government shall file its opposition brief with 90 days of the Supreme Court's decision
5 in Dimaya;

6 (2) The defendant shall file any reply brief within 30 days of the government's filing of its
7 opposition.

8 IT IS SO ORDERED.

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10 DATED: June 6, 2017

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13 THE HONORABLE SUSAN ILLSTON
14 UNITED STATES DISTRICT JUDGE
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